



COHEN MILSTEIN

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May 4, 2012

The Honorable Michael A. Shipp  
United States Magistrate Judge  
United States District Court  
District of New Jersey  
Martin Luther King Jr. Federal Building  
50 Walnut Street  
Newark, New Jersey 07101

Re: **Sabol v. Hydroxatone, LLC, No. 2:11-cv-04586-SRC-MAS**

Dear Magistrate Judge Shipp:

Pursuant to the Court's Pretrial Scheduling Order, dated December 2, 2011 (the "Order"), the parties and their counsel are required to attend a status/settlement conference on May 31, 2012. The named plaintiffs ("Plaintiffs") in this class action, Susan Sabol and Valerie Done, respectfully request to be excused from appearing in person at the May 31st conference. Good cause exists for Plaintiffs' request. Should they be required to attend the hearing, Ms. Sabol and Ms. Done would have to travel from Montana and Utah, respectively, and stay over-night in a hotel on May 30th.

Because this is a class action, the expenses associated with Plaintiffs' travel could eventually detract from any award to the class. Further, Plaintiffs need not be present in order for counsel to represent their interests, and the interests of the proposed class, both with respect to the status of the case and any potential



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settlement at this relatively early stage of litigation. If deemed necessary, the Plaintiffs will be available by telephone throughout the conference. Thus, Plaintiffs ask to be excused from attending the status/settlement conference scheduled for May 31, 2012.

Counsel for Plaintiffs has conferred with Defendants and they do not object to Plaintiffs' request.

Respectfully Submitted,

/s/ Alan E. Sash  
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*Counsel for Plaintiffs*

**CERTIFICATE OF SERVICE**

I hereby certify that on this date, a true copy of the foregoing letter and attached proposed form of Order were served via ECF on the following:

Michael Lynch  
Lauri Mazzuchetti  
Ilona Korzha  
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Dated May 4, 2012

/s/ Alan E. Sash  
Alan E. Sash